

11-20-02

CPA

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Linda

12/16/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

(only for Continuation or Divisional applications under 37 CFR 1.53(d))

Docket No.: 57909/428

Express Mail No.: EV138582983US

Examiner: N. Minnifield

Art Unit: 1645

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
BOX: CPA

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This is a Request for filing a:

☒ continuation or
☐ divisional application

TECH CENTER 1600/2900

under 37 CFR 1.53(d), continued prosecution application, (CPA) of prior application number 09/298,523, filed on April 23, 1999, of Briles et al. entitled PNEUMOCOCCAL SURFACE PROTEIN C (PspC), EPITOPIC REGIONS AND STRAIN SELECTION THEREOF, AND USES THEREFOR.

The above-identified prior pending application is hereby expressly abandoned as of the filing date of this request for a continued prosecution application (CPA).

- ☒ Substitute Specification under 37 C.F.R. §1.125.
- ☒ A preliminary amendment is enclosed with attachments A and B.
- The filing fee is calculated on the basis of the claims existing in the prior application as amended above:

	(Col. 1)	(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXXXX	XXXXXXXXXX	XXXXXX	\$370	OR	XXXXXX	\$740
TOTAL CLAIMS	20 - 20 =	0	x 9 =	\$	OR	x 18 =	\$0
INDEP CLAIMS	2 - 3 =	0	x 42 =	\$	OR	x 84 =	\$0
[] MULTIPLE DEPENDENT CLAIM PRESENTED			x 140 =	\$	OR	x 280 =	\$
*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2			TOTAL	\$	OR	TOTAL	\$740

- ☒ A check in the amount of \$740.00 is enclosed to cover the above filing fee.
- ☒ The Commissioner is hereby authorized to charge fees which may be required, or credit overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.
- ☒ A copy of the Request for Four-Month Extension of Time in prior application.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.

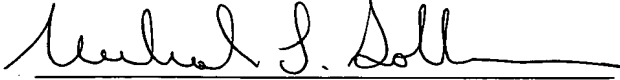
11. Other:

Address all future communications to (may only be completed by Applicant, or attorney or agent of record):

Michael L. Goldman, Esq.
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051

Respectfully submitted,

Date: November 18, 2002


Michael L. Goldman, Esq.
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1304
Facsimile: (585) 263-1600



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EXPRESS MAIL CERTIFICATE

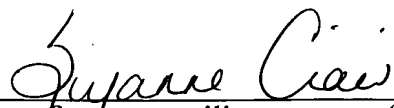
DOCKET NO. : 57909/428
APPLICANT(S) : Briles et al.
TITLE : PNEUMOCOCCAL SURFACE PROTEIN C (PspC) EPITOPIC
REGIONS AND STRAIN SELECTION THEREFOR, AND USES
THEREFOR

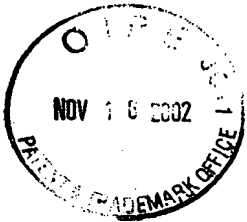
Certificate is attached to the **Amendment (8 pages)** of the above-named application.

"EXPRESS MAIL" NUMBER: **EV138582983US**
DATE OF DEPOSIT: **November 18, 2002**

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Suzanne Ciaio
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)



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EXPRESS MAIL CERTIFICATE

DOCKET NO. : 57909/428

APPLICANT(S) : Briles et al.

TITLE : PNEUMOCOCCAL SURFACE PROTEIN C (PspC) EPITOPIC
REGIONS AND STRAIN SELECTION THEREFOR, AND USES
THEREFOR

Certificate is attached to the **Amendment Transmittal (2 pages)** of the
above-named application.

"EXPRESS MAIL" NUMBER: **EV138582983US**

DATE OF DEPOSIT: **November 18, 2002**

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Suzanne Ciaio

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paper or fee)

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PATENT
Docket No.: 57909/428

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Briles et al.
Serial No. : 09/298,523
Cnfrm. No. : 2114
Filed : April 23, 1999
For : PNEUMOCOCCAL SURFACE PROTEIN C
(PspC) EPITOPIC REGIONS AND STRAIN
SELECTION THEREFOR, AND USES
THEREFOR

Examiner:
N. Minnifield

Art Unit:
1645

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Linda
12/16/02
w/attacks

PRELIMINARY AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202
Box: CPA

Dear Sir:

In response to the outstanding office action, please amend the above-identified patent application as follows:

IN THE SPECIFICATION:

Please replace the specification with the attached Substitute Specification
Under 37 C.F.R. § 1.125.